

L114128PA589

E486564

DEVELOPMENT PLAN
LAFAYETTE PROJECT

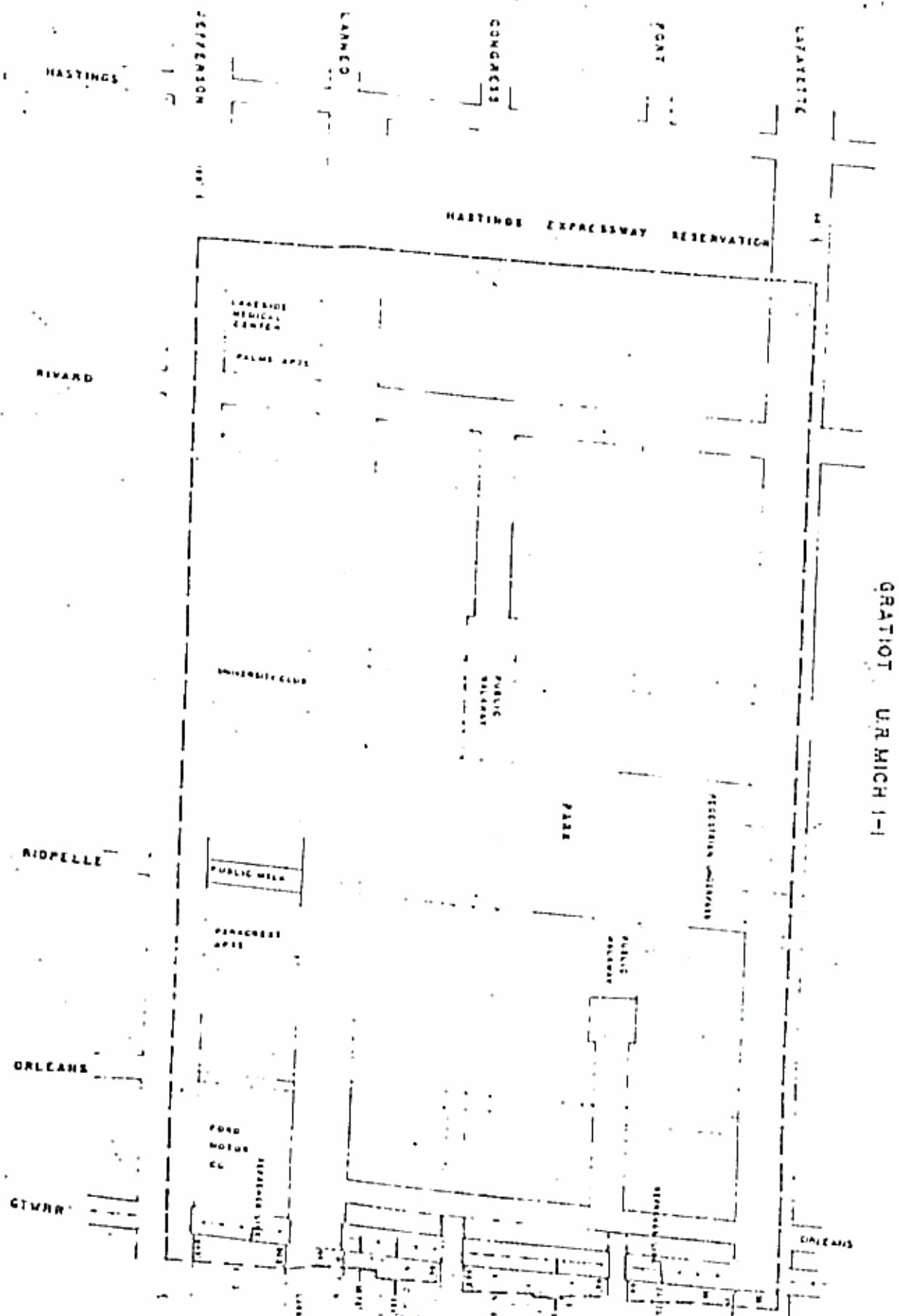
E486564

MICH R-12

RECORDED JAN 12 1968 AT 233P
BERNARD J. YOUNGBLOOD, Register of Deeds
WAYNE COUNTY 26 MICHIGAN

786
01

14428-590



GRATIOT U.R. MICH 1-1

LEGEND
 --- PROJECT BOUNDARY
 --- PROPOSED EASEMENTS
 --- PROPOSED TRAIL BOUNDARIES

PROJECT AREA BOUNDARIES

**MICH R-12
 LAFAYETTE PROJECT**

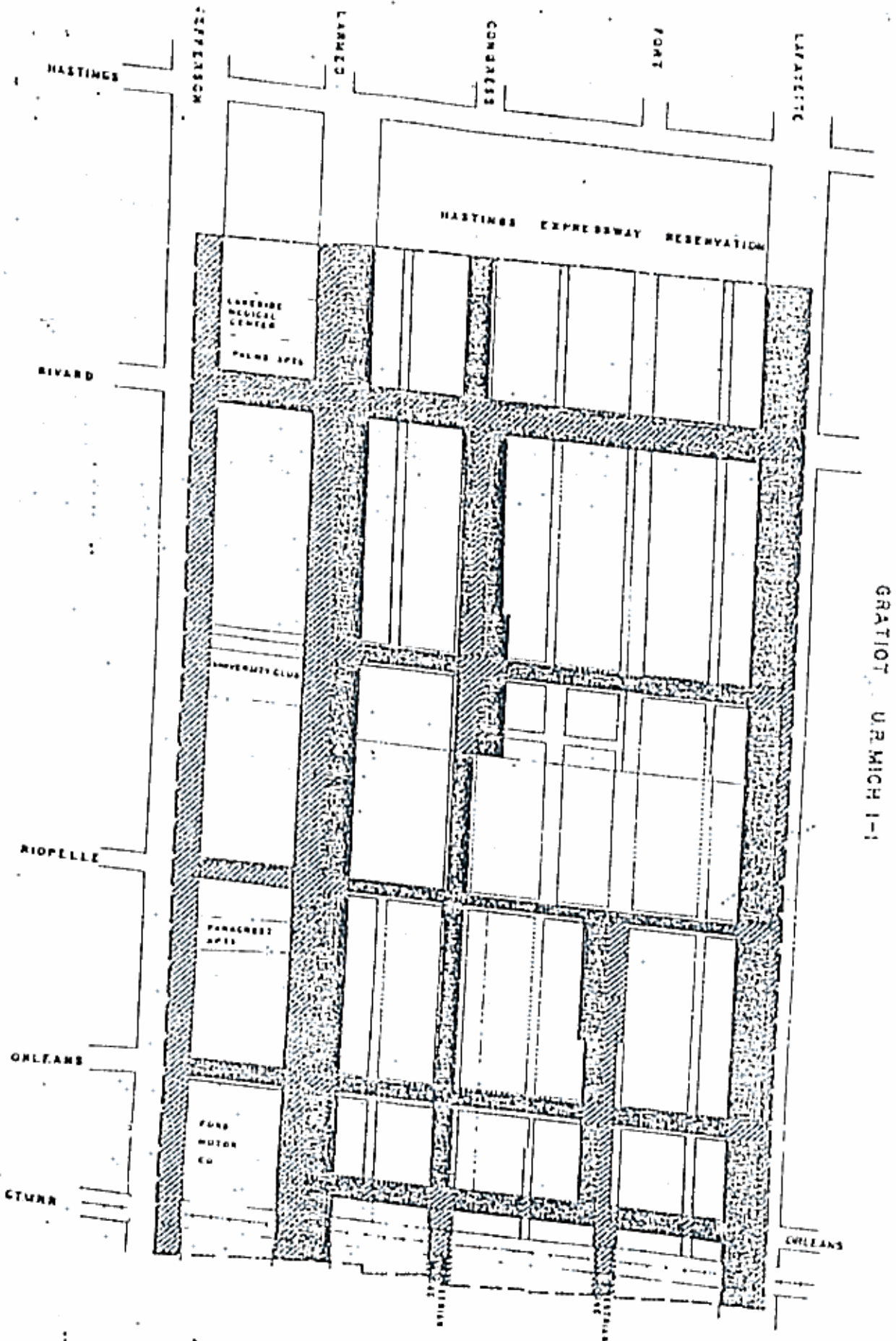
DETROIT HOUSING COMMISSION

PREPARED BY: WAYNE COUNTY - MICHIGAN
 PREPARED BY: CITY PLANNING COMMISSION

DATE: MARCH 21, 1957
 REVISION:
 SOURCE: DETROIT CITY PLANNING COMMISSION
 GOOD: RETURNED FROM ITENIA-1

DATE: MARCH 21, 1957
 REVISION:
 SOURCE: DETROIT CITY PLANNING COMMISSION
 GOOD: RETURNED FROM ITENIA-1

11-128-592



- LEGEND**
- PROJECT BOUNDARY
 - - - - - PROPOSED EASEMENTS
 - PROPOSED MOBILE HOME SITES
 - ASK TO BE MOVED
 - ▨ ASK TO BE MOVED
 - ▩ ASK TO BE DECOMMITTED
 - ▧ EXISTING ESTABLISHED

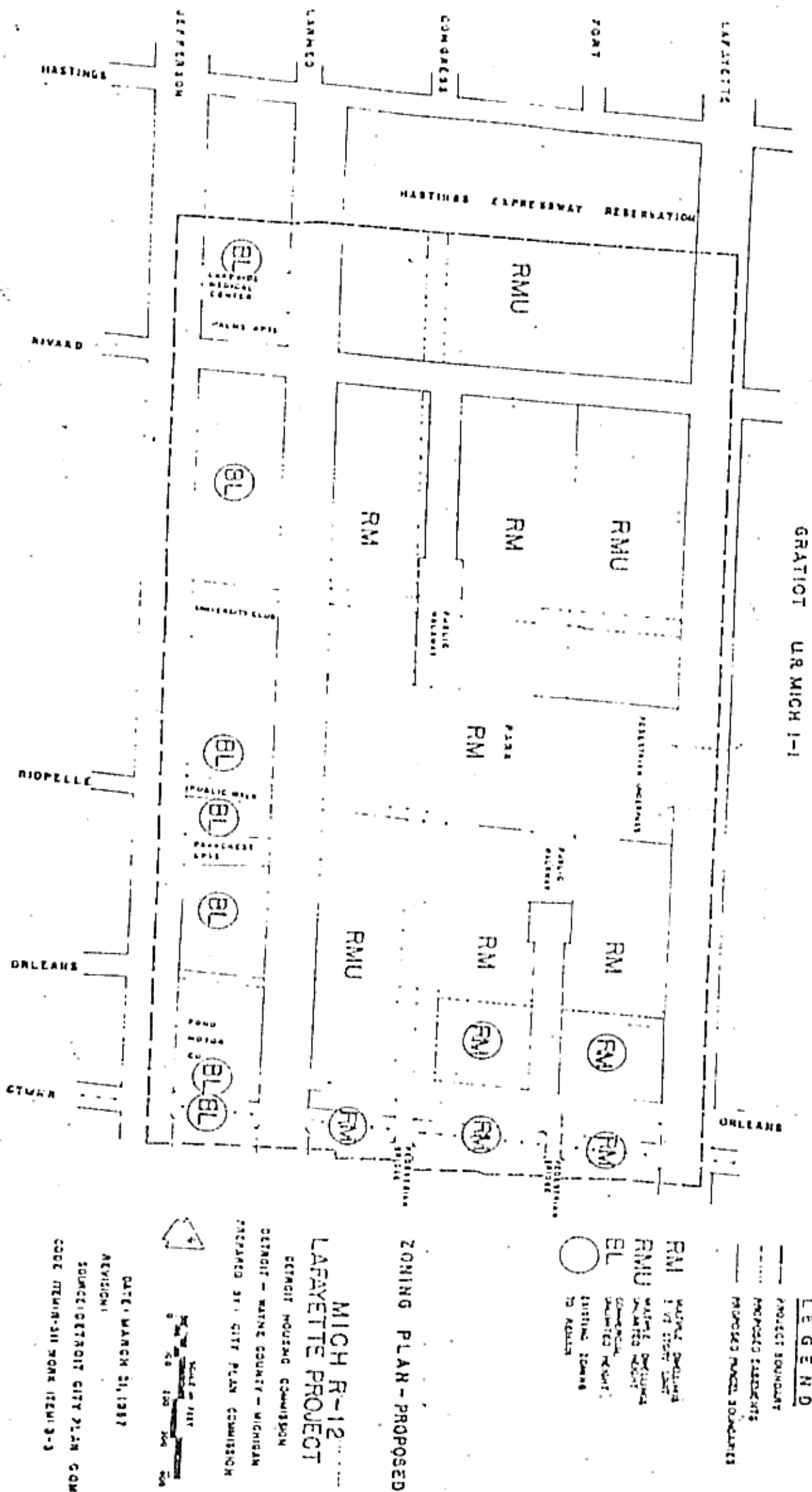
FORM ADJUSTMENT PLAN

**MICH R-12
LAFAYETTE PROJECT**

DETROIT HOUSING COMMISSION
DETROIT - WAYNE COUNTY - WICHITA
PREPARED BY: CITY PLAN COMMISSION

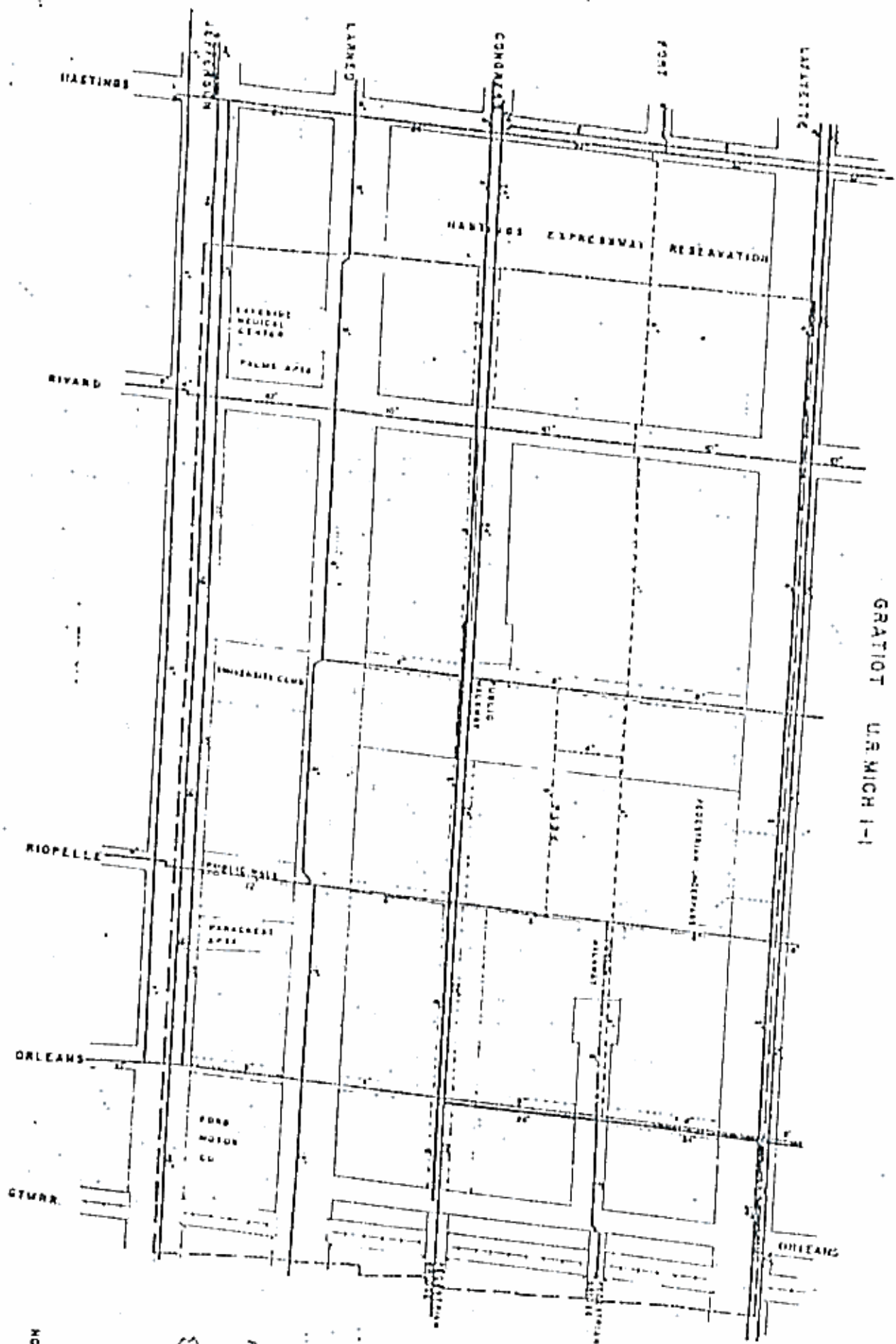


DATE: MARCH 21, 1957
REVISION:
SOURCE: DEPT. OF PUBLIC WORKS
...BASED UPON R 21 FROM 1224192



U14128-505

CH
3



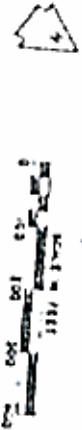
GRATIOT U.S. HIGH 1-1

- LEGEND**
- PROJECT BOUNDARY
 - - - PROPOSED EASEMENTS
 - PROPOSED PAVED, SIDEWALKS
 - - - CEMENT WALK TO REAR
 - PROPOSED WALK
 - - - WALK TO BE ADJUSTED

PROPOSED UTILITIES: WATER

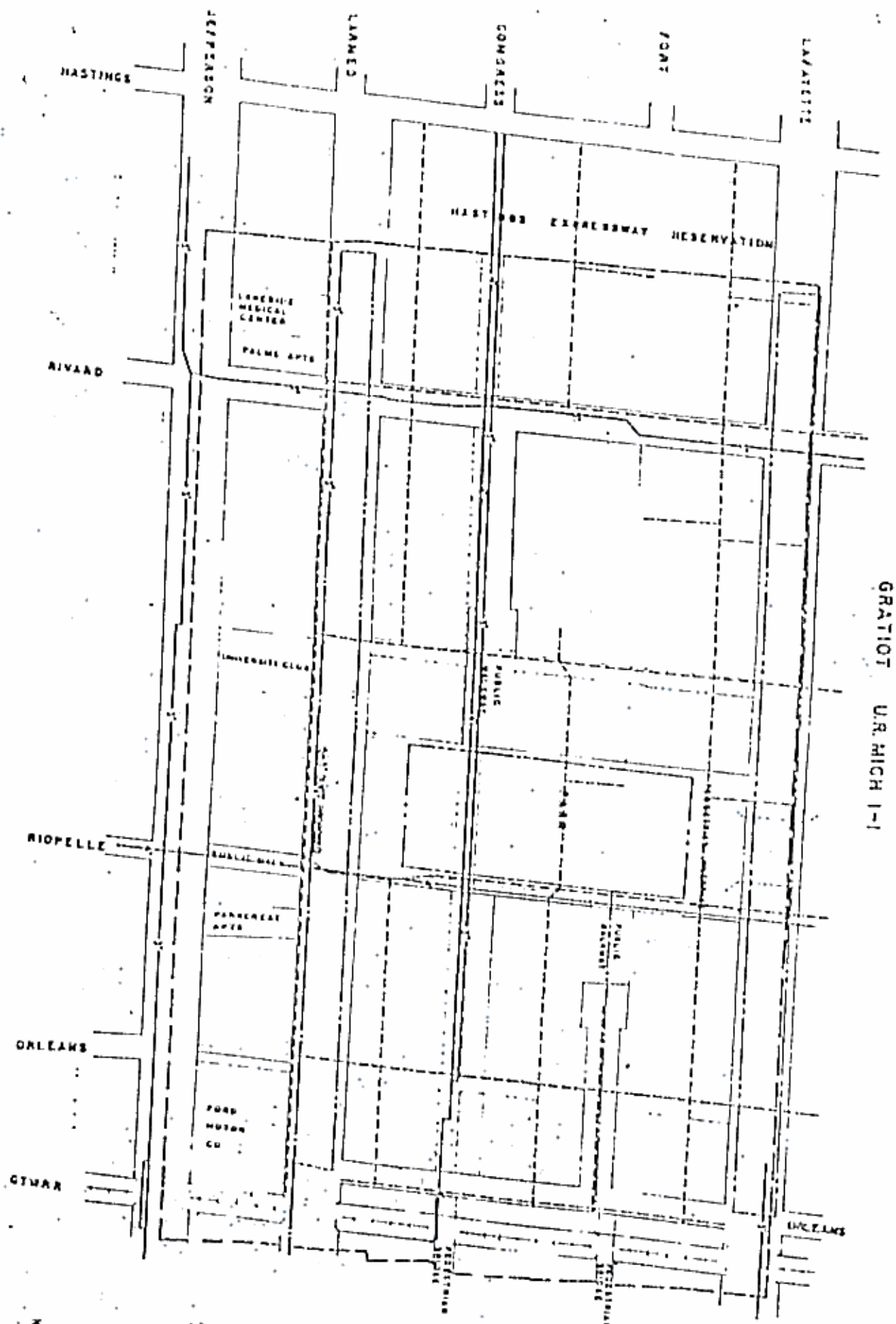
**MICH R-12
LAFAYETTE PROJECT**

DETROIT HOUSING COMMISSION
DETROIT - WAYNE COUNTY - MICHIGAN
PREPARED BY CITY PLAN COMMISSION



DATE: MARCH 26, 1967
REVISION:
SOURCE: WATER BOARD
CODE: 1154128-505
NOTE: PROPOSED MAIN SIZES SHOWN ARE TENTATIVE AND SUBJECT TO LATER MODIFICATION.

14128-508



GRATIOT U.R. HIGH 1-1

LEGEND

- PROJECT BOUNDARY
- PROPOSED EASEMENTS
- PROPOSED WATER BOUNDARIES
- PROPOSED SEWER
- PROPOSED POWER LINE
- EXISTING HIGH TENSION & SEWER
- EXISTING LOW TENSION & SEWER
- EXISTING OVERHEAD LINES TO BE REMOVED
- PROPOSED OVERHEAD LINE

PROPOSED UTILITIES: PUBLIC LIGHTING SYSTEM

MICH R-12 LAFAYETTE PROJECT

DETROIT HOUSING COMMISSION
DETROIT - WAYNE COUNTY - MICHIGAN
PREPARED BY: CITY PLAN COMMISSION



DATE: MARCH 2, 1957
REVISION:

SOURCE: PUBLIC LIGHTING COMMISSION
CODE ITEM: 304 ITEM: 0-40

NOTE: PROPOSED CONDUIT SIZES SHOWN ARE TENTATIVE AND SUBJECT TO LATER MODIFICATIONS.

DECLARATION OF RESTRICTIONS
LAFAYETTE REDEVELOPMENT PROJECT

1. Scope

The following restrictions shall be binding and effective upon all purchasers of land, their heirs and assigns, in that section of Detroit:

Beginning at a point in the centerline of existing Lafayette Street, 50 feet wide, said point being 35 feet east of the easterly line of the Grand Trunk Western Railroad Company Right-of-Way, 60 feet wide, and hereinafter referred to as the Reference Line, thence southerly from said point along a line parallel with the Reference Line to the centerline of the existing 20 foot east-west alley first southerly therefrom, thence further southerly along a line to a point in the north line of existing Fort Street, 50 feet wide, said point being 44 feet east of the Reference Line, thence along a line to a point in the south side of Fort Street also 44 feet east of the Reference Line, thence further southerly along a line to a point in the centerline of the existing 20 foot east-west alley first southerly therefrom, said point being 54.36 feet east of the Reference Line, thence westerly along said alley centerline to a point at the intersection of the alley centerline and a line perpendicular to the north line of existing Congress Street, 50 feet wide, said line intersecting the north line of Congress Street 60.5 feet easterly of the Reference Line, thence southerly along said perpendicular line to the north line of Congress Street, thence along a line to a point in the south line of Congress Street 44 feet easterly of the Reference Line, thence along a line to a point in the centerline of the existing 20 foot east-west alley first southerly therefrom, said point being 53.1 feet easterly of the Reference Line, thence westerly along said alley centerline 17.35 feet, to a point 35.76 feet easterly of the Reference Line, thence southerly along a line to a point in the north line of Larned Street, as now established 60 feet, said point in the north line of Larned Street being 44 feet east of the Reference Line, thence along a line to a point in the south line of Larned Street, said point being 50.5 feet east of the Reference Line, thence along a line to a point in the centerline of Jefferson Avenue as now established, 120 feet wide, said line intersecting the north line of Jefferson Avenue, 64.5 easterly of the Reference Line, thence westerly along the centerline of Jefferson Avenue, to a point at the intersection of the eastern boundary line of the proposed Hastings-Oakland Expressway, thence northerly along the eastern boundary of said

proposed expressway to the centerline of existing Lafayette Street thence easterly along said centerline to the point of beginning, such section being known as the Lafayette Redevelopment Project. These restrictions shall become effective on June 25, 1957 and shall remain in effect for a period of twenty (20) years, at which time said restrictions shall automatically extend for successive periods of ten years, unless by a vote of the then owners of the majority of the area in the Lafayette Redevelopment Project, exclusive of streets, it is agreed to change the said restrictions in whole or in part; and provided that such a change is approved by the Common Council.

2. Amending Restrictions

The City of Detroit may, after a public hearing by the Common Council, amend the restrictions applying to any undeveloped property of parcel size as shown on the Development Plan of the Lafayette Redevelopment Project in whole or in part, if there is a finding made that such an amendment will improve the Lafayette Redevelopment Project. Provided, however, that the restrictions may not be amended with respect to any of the parcels sold or contracted to be sold without the consent of the owner or owners, his or their heirs, assignees, or assigns. Provided, further, that the restrictions may not be amended with respect to any parcel without the consent of owners of abutting parcels which are within the boundaries of the Redevelopment Project. Notice of time and place of the above hearings shall be given by publication in a newspaper of general circulation not less than 15 days prior to the date set for such hearing. Notice of such hearing shall be mailed at least 15 days before such hearing to the owner of each parcel or lot in the Lafayette Redevelopment Project, as shown in the records of the City Assessors.

GENERAL PROVISIONS3. Review of Plans

The purposes of this review are to insure that buildings in the Lafayette Redevelopment Project shall be well and harmoniously designed and of good appearance, to provide for the proper arrangement of buildings and adequate open spaces; to provide for the proper location of buildings with respect to property lines, easements, and to each other; and to prevent an adverse effect on the surrounding area.

The developer shall submit plans for each parcel to the City Plan Commission for approval. These plans shall be in sufficient detail to enable the City Plan Commission to make a determination as to their compliance with the purposes stated above and with these restrictions and the development plan. The City Plan Commission shall examine these plans and they shall be deemed approved unless formal rejection, setting forth in detail the reasons, therefore, shall be made within thirty (30) days of their submission. The provisions of the preceding sentence shall likewise apply to any amendment or corrected plans.

4. Easement for Utilities

Easements for utilities shall be maintained at locations shown on the development plan. The developer may pave over easements and/or install driveways, lawns, parking spaces, play and drying yards. In the event the developer desires to erect any structure or plant any trees or shrubs over easements, he shall be required to apply for and obtain the permission of all public and private agencies having jurisdiction.

5. Public Walkways

Owners of residential parcels abutting on an easement indicated as a public walkway on the development plan shall be responsible for maintaining that portion of said easement which is in lawn and shrubbery, as well as public sidewalks. The area within public walkway to be maintained shall be that area between their property lines and the center of the public easement. Owners of abutting property shall also be responsible for installing and maintaining all lawn spaces between sidewalks and curbs.

6. Construction

4

All buildings in the Lafayette Redevelopment Project shall have outer walls finished on the exterior with at least 4-inch brick or stone masonry; however, notwithstanding the foregoing, frame embellishments such as entrances, canopies, fascias, wood gutters, shutters, exposed wood or asbestos shingle gable ends are permitted and shall be deemed to be in compliance with the above. The foregoing is not intended to limit the area of fenestration to the minimum as required by the building code. All stairways to and from the second floor shall be contained within the structural walls of the building proper.

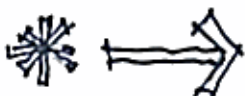
If the developer wishes to propose any deviations, plans shall be submitted to the City Plan Commission for review and the Commission shall have the authority to approve or disapprove any such deviations.

7. Variances

Where, owing to special conditions, a literal enforcement of these restrictions in regard to density, yard spaces and setbacks of offstreet parking would result in unnecessary hardship, involve practical difficulties, or would constitute an unreasonable limitation beyond the spirit and purpose of these restrictions, the City Plan Commission shall have the power upon appeal in specific cases to authorize such variation or modification of the terms of these restrictions as will not be contrary to the public interest and so that the spirit of these restrictions shall be observed and substantial justice done; subject to review by the Common Council and approval thereof.

8. Severability

Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.



LOW DENSITY MULTIPLE AREA

Parcels 4, 5, 9, and 10 shall be known as low density multiple parcels and shall be subject to the following restrictions:

9. Use and Occupancy

No buildings other than apartments, flats, terraces or row houses and accessory garages for storage of automobiles, also churches and schools shall be built. There shall be no

subletting of a portion or portions of any dwelling unit to any individual or individuals. No more than one family shall live in any one dwelling unit. No buildings shall be subsequently so altered or rebuilt as to accommodate more families than the number for which it was originally designed and approved.

In addition to the review required elsewhere in these restrictions, schools and churches, shall in all respects, be subject to the review and approval of the City Plan Commission.

10. Size of Buildings

No building shall be more than two-and-a-half stories in height. No building shall have an exterior wall in excess of 140 feet in length without a lateral offset of at least three feet in its alignment, or a building length of 210 feet without a lateral offset of at least 16 feet.

11. Building Lines and Spaces Between Buildings

All buildings shall have at least a twenty (20) foot setback from all property lines. Where there are two or more buildings on a parcel the long-dimensioned side of any building or building wing shall be at least thirty-six (36) feet from the long-dimensioned side of another building which is parallel or roughly parallel to it and directly opposite it.

No entrance to one building shall be less than thirty-six (36) feet from the building opposite it and in no case shall buildings be less than eighteen (18) feet apart. If the developer wishes to propose any deviations, plans shall be submitted to the City Plan Commission for review and the Commission shall have the authority to approve or disapprove any such deviations.

The location of such service facilities as private access roads, drying yards, tot lots, and refuse collection stations shall be subject to approval by the City Plan Commission.

12. Maximum and Minimum Extent of Development

Each parcel shall be so developed that the total number of living rooms and bedrooms provided thereon shall be not more than the area of the parcel in square feet divided by six-hundred nor less than the area of the parcel in square feet divided by one-thousand.

13. Parking

Offstreet parking and garage spaces shall be provided in the ratio of at least one parking space for each dwelling unit. A "parking space" shall mean an area of not less than 180 square feet, exclusive of drives and aisles giving access thereto. All parking areas and drives shall be paved with a water repellant, bituminous or concrete surface. Location of and access to parking areas and garages shall be subject to approval of the City Plan Commission; and review by the Common Council if requested by any party or parties of interest within ten (10) days from date of City Plan Commission decision.

14. Sale of Buildings

Dwelling units shall be for rental and/or cooperative apartment purposes at the discretion of the owner. Cooperative type ownership or the sale of a residential building in its entirety is permitted. Such sales shall not be by metes and bounds but by means of a recorded plat.

HIGH DENSITY MULTIPLE AREAS

Parcels 6 and 8 shall be known as high density multiple parcels and shall be subject to the following restrictions:

15. Use and Occupancy

No buildings other than apartments and accessory garages for the storage of automobiles shall be built. There shall be no subletting of a portion of any dwelling unit to any individual or individuals. No more than one family shall live in any one dwelling unit. No building or unit in a building built for dwelling purposes shall be subsequently so altered or rebuilt as to accommodate more families than the number for which it was originally designed and approved.

The following accessory commercial and professional uses, or uses considered as being similar uses by the City Plan Commission, shall be permitted only on approval of the City Plan Commission: (1) Doctor's Office, (2) Drug Store, (3) Beauty Shop, (4) Barber Shop, (5) Shoe Repair, (6) Tailor Shop.

16. Building Lines and Spacing Between Buildings

All buildings shall have a 20 foot setback from all property lines. Those setback lines shall be moved away from

the paralleling plat line an additional five feet for every story the major portion of which is above a height of seventy feet.

Where there are two or more buildings on a parcel the distance between buildings shall be at least 36 feet plus 5 feet for each story by which the higher building exceeds two stories. The location of such service facilities as drying yards, tot lots, and refuse collection stations shall be subject to approval by the City Plan Commission.

17. Maximum and Minimum Extent of Development

Each parcel shall be so developed that the total number of living rooms and bedrooms provided thereon shall not be more than the area of the parcel in square feet divided by three-hundred and fifty nor less than the area of the parcel in square feet divided by four-hundred.

18. Parking

Offstreet parking and garage spaces shall be provided in the ratio of at least one space for each dwelling unit. A "parking space" shall mean an area of not less than 180 square feet, exclusive of drives and aisles giving access thereto. All parking areas and drives shall be paved with a water repellant, bituminous or concrete surface. Location of and access to parking and garage areas shall be subject to approval of the City Plan Commission; and review by the Common Council if requested by party or parties of interest within ten (10) days from date of City Plan Commission decision.

19. Sale of Buildings

Dwelling units shall be for rental and/or cooperative apartment purposes at the discretion of the owner. Cooperative type ownership or the sale of a residential building in its entirety is permitted. Such sales shall not be by metes and bounds but by means of a recorded plat.

COMMERCIAL

Parcels 13, 14, 15, and 16 shall be known as commercial parcels.

20. Use

Only the following uses shall be permitted:

Business Offices
Sales Offices
Professional Offices
Banks and Financial Establishments
Automobile Parking Garages
Educational or Philanthropic Institutions, Clubs
Uses Accessory to any of the Above Permitted Uses.

21. Building Lines and Building Heights

All buildings shall have at least the following set backs:

Jefferson Avenue - 20 feet from property line
Larned Street - 20 feet from property line
Rivard Street - 20 feet from property line

No buildings, structures or parking shall be permitted within the set back area.

No building, structure, or part thereof shall be erected, altered, or enlarged to such a size or height that the cubical contents of such building or structure above the average established sidewalk grade shall exceed the volume of a prism or prismoid having a height equal to the width of the widest street upon which the lot abuts and a base equal to the area of the lot upon which said building or structure is erected, altered, or enlarged, provided that this limitation shall not apply to towers as hereinafter specified.

Towers may be erected over and above the cubical content limit established herein, provided that the greatest horizontal dimension of such tower does not exceed sixty (60) feet, that the total gross area of all such towers on any one building or structure at any one horizontal plane does not exceed twenty-five (25) per cent of the area of the lot upon which the building or structure is situated and that each such tower shall be at least thirty (30) feet distant from every lot line and at least sixty (60) feet distant from any other tower on the same building or structure.

22. Parking and Loading

Parking shall be provided in a ratio of at least one space for every 200 square feet of floor area of the building. A "parking space" shall be an area of not less than 180 square feet, exclusive of drives and aisles giving access thereto. All parking areas and drives shall be paved with a water repellant, dust free,

bituminous or concrete surface. All parking shall be set back from the property lines as indicated in paragraph 21.

Parking shall be provided on the property except that two or more property owners may provide a common parking facility. In this case the combined parking area shall be equal to the sum of the separate parking requirements. All such parking shall be located within 300 feet of the property it is required to serve. Nothing in these restrictions shall be construed to prohibit the erection of parking structures to meet the parking space requirements.

Location of and access to parking shall be subject to the approval of the City Plan Commission; and review by the Common Council if requested by party or parties of interest within ten (10) days from City Plan Commission decision.

Loading dock space shall be provided in the ratio of at least one dock space for every building. Each space shall be at least 25 feet long, 10 feet wide and 14 feet high. Additional loading docks shall be provided as required by the City Plan Commission.

23. Signs

Signs or similar structures or devices relating only to services, articles or products sold on the premises, and the trade name of the occupant shall be permitted, subject to the approval of the City Plan Commission of the size and general design of the sign being in keeping with the general character of the area in which it is to be located, provided that in no case shall any sign project more than one (1) foot beyond the face of the building. These restrictions expressly prohibit billboards, either free standing or against a building.

MISCELLANEOUS PARCELS

The following parcels shall be known as "Miscellaneous Parcels":

24. Parcel 1, or the easterly embankment, lying between the easterly property line of the Grand Trunk Western Railroad Company (which coincides with the easterly line of the Project) and the easterly line of the Grand Trunk Western Railroad Company's 60-foot right-of-way shall not be used presently or in the future for commercial or industrial purposes other than for transportation and public utilities.
25. Parcel 2, or the Railroad's 60-foot right-of-way, shall be unrestricted as to use except that use enumerated under subparagraphs 2 and 3 of Section 17.1 of City of Detroit Ordinance

171-D, as amended April 1, 1953, shall be prohibited. In the event the right-of-way is abandoned or discontinued, the railroad shall dispose of the land only for a use which is consistent with the Development Plan then in existence.

26. Parcel 3, or the westerly embankment, lying between the westerly property line of the Grand Trunk Western Railroad Company's 60-foot right-of-way shall not be used presently or in the future for commercial or industrial purposes other than for transportation and public utilities.
27. Parcel 7, only schools, playgrounds, parks or related accessory buildings or uses shall be permitted. Parking shall be provided in the ratio of at least one space for each classroom. All buildings shall have a set back of at least 20 feet from all property lines.
28. On Parcel 11 the Uses Permitted are as follows:
- Hospitals or institutions of an educational or philanthropical character, other than penal or correctional institutions or trade schools. Uses accessory to any of the above permitted uses.

Building Height

Building heights shall be determined by building set backs as shown in Section 28, Building Lines.

Building Lines

All buildings and structures shall have a 20 foot set back from all property lines. There shall be an additional 5 foot set back for each 10 foot by which a building or structure exceeds 70 feet.

Building Coverage

No site shall be so developed that more than 33 1/3 percent of the total site is covered by building or structures.

Parking and Loading

Parking shall be provided on site on the basis of at least one parking space for each 500 square feet of building floor space including any basements. A "parking space" shall mean an area of not less than 180 square feet exclusive of drives and aisles giving access thereto. Not more than 20 percent of the site may be covered by surface parking and/or by a parking structure. If sub-surface parking is used there will be no limitations on the size of the area that may be devoted to parking.

- All surface parking areas shall be set back at least 20 feet from all property lines. All surface parking areas and drives shall be paved with a water repellant, dustfree, bituminous or concrete surface.

Location of and access to all parking lots and parking structures shall be subject to the approval of the City Plan Commission; and review by the Common Council if requested by party or parties of interest within ten (10) days from City Plan Commission decision.

- Loading dock space shall be provided in the ratio of at least one dock space for every building. Each space shall be at least 25 feet long, 10 feet wide and 14 feet high. Additional loading docks shall be provided as required by the City Plan Commission.

Approval of Plot Plans

All plot plans shall be subject to the approval of the City Plan Commission and review by the Common Council if requested by party or parties of interest within ten (10) days from City Plan Commission decision.

29. Parcel 12 shall be subject to the following restrictions:

Uses Permitted

Only the following uses shall be permitted:

Hospitals

Clinics

Uses Accessory to the Above Uses.

Building Lines & Building Heights

All buildings shall have a set back of at least 10 feet from the Hastings-Oakland Expressway right-of-way line. No building, structures or parking shall be permitted within the set back.

No building, or structure, or part thereof, shall be erected, altered or enlarged to such a size or height that the cubical contents of such building or structure above the average established sidewalk grade shall exceed the volume of a prism or prismoid having a height equal to the width of the widest street upon which the Parcel abuts, excepting the Hastings-Oakland Expressway, and a base equal to the area of the lot upon which said building or structure is erected, altered or enlarged, provided that this limitation shall not apply to towers as hereinafter specified.

Towers may be erected over and above the cubical content limit established herein, provided that the greatest horizontal dimension of such tower does not exceed sixty (60) feet, that the total gross area of all such towers on any one building or structure at any one horizontal plane does not exceed twenty-five (25) per cent of the area of the lot upon which the building or structure is situated and that each such tower shall be at least thirty (30) feet distant from every lot line and at least sixty (60) feet distant from any other tower on the same building or structure.

Parking and Loading

Parking shall be provided in the ratio of at least one space for every four beds, in the case of hospitals. For facilities not having beds, parking shall be provided in the ratio of one space for every 200 square feet of area in the building. A ten foot set back shall be provided from the property line of the Hastings-Oakland Expressway. No parking shall be allowed within this ten (10) foot set-back area.

Loading dock space shall be provided in the ratio of at least one dock space for every building. Each space shall be at least 25 feet long, 10 feet wide and 14 feet high. Additional loading docks shall be provided as required by the City Plan Commission.

AMENDMENTS TO THE DECLARATION OF RESTRICTIONS

LAFAYETTE REDEVELOPMENT PROJECT

Mich. R-12

14. The paragraph entitled High Density Multiple Areas, following Section 14 is deleted and the following is substituted in its place and stead:

High Density Multiple Areas

Parcels 6, 8, and 11 shall be known as high density multiple parcels and shall be subject to the following restrictions:

15. Section 15 is amended by adding the following paragraph as an addition thereto:

Alternate Use:

Parcel 11 may also be used for the purposes stated in Section 28 and shall be subject to the restrictions stated therein.

16. The first paragraph of Section 16 is deleted and the following is substituted in its place and stead:

All buildings shall have at least a twenty (20) foot setback from all property lines. Those setback lines shall be moved away from the paralleling property line an additional five (5) feet for every story the major portion of which is above a height of seventy (70) feet, except where the property line is adjacent to the expressway or Parcel 7, a setback of at least twenty (20) feet shall be all that is required.

28. The first line of Section 28 is deleted and the following is substituted in its place and stead:

On Parcel 11 the following alternate uses are permitted subject to the following restrictions:

The paragraph entitled Building Lines is deleted and the following is substituted in its place and stead:

Building Lines

All buildings and structures shall have at least a twenty (20) foot setback from all property lines. There shall be an additional five (5) foot setback for each ten (10) feet by which a building or

structure exceeds seventy (70) feet, except where the property line is adjacent to the expressway, a setback of at least twenty (20) feet shall be all that is required.

29. Section 29 is deleted in its entirety.

SECOND AMENDMENT TO THE DECLARATION OF RESTRICTIONS

LAFAYETTE REDEVELOPMENT PROJECT

MICH. R-12

2. Section 2 is deleted in its entirety and the following is substituted in its place and stead:

Amending Restrictions

The City of Detroit may, after a public hearing by the Common Council, amend the restrictions applying to any property as shown on the Development Plan of the Lafayette Redevelopment Project in whole or in part, if there is a finding made that such an amendment will improve the Lafayette Redevelopment Project. Provided, however, that the restrictions may not be amended with respect to any of the parcels sold or contracted to be sold without the consent of the owner. Notice of time and place of the above hearings shall be given by publication in a newspaper of general circulation not less than 15 days prior to the date set for such hearing. Notice of such hearing shall be mailed at least 15 days before such hearing to the owner of each parcel or lot in the Lafayette Redevelopment Project, as shown in the records of the City Assessors.

7. Section 7 is deleted in its entirety and the following is substituted in its place and stead:

Where, owing to special conditions, a literal enforcement of these restrictions in regard to density, yard spaces, setbacks, space between buildings, location and type of off-street parking and truck loading would result in unnecessary hardship, involve practical difficulties, or would constitute an unreasonable limitation beyond the spirit and intent of these restrictions, the City Plan Commission shall have the power upon appeal in specific cases to authorize such variation or modification of the terms of these restrictions as will not be contrary to the public interest so that the spirit and intent of these restrictions shall be observed and substantial justice done; subject to review by the Common Council and approval thereof.

For purposes of this section the term "variance" shall in no case be interpreted as applying to a change greater than 10% of the figure which would result from the literal application of these restrictions.

8. The paragraph entitled Low Density Multiple Area following Section 8 is deleted and the following is substituted in its place and stead:

LOW DENSITY MULTIPLE AREA

Parcels 4, 5, 9 and 10 are low density multiple parcels and are subject to the restrictions set forth in Sections 9, 10, 11, 12, 13 and 14, except that with the approval of the City Plan Commission the developer or developers may elect to proceed under alternate Sections 30, 31, 32, 33 and 34 of these restrictions, provided that a plan covering the combined parcels has been approved by the City Plan Commission on any of the following combinations of adjoining parcels; 8, 9 and 10; 4, 5 and 6; 8 and 9; 9 and 10; 4 and 5; and 5 and 6. Dwelling units which comply with Sections 9, 10, 11, 12, 13 and 14 shall be known as low density multiple dwelling units.

9. The first sentence of the first paragraph of Section 9, Use and Occupancy, is deleted and the following is substituted in its place and stead:

No buildings other than dwellings such as apartments, flats, terraces or row houses, accessory garages for storage of automobiles and churches and schools shall be built.

10. Section 10 is deleted in its entirety and the following is substituted in its place and stead:

Height of Buildings

No building shall be more than two-and-a-half stories in height.

14. The paragraph, previously amended, entitled High Density Multiple Areas following Section 14 is deleted and the following is substituted in its place and stead:

HIGH DENSITY MULTIPLE AREAS

Parcels 6, 8 and 11 are high density multiple parcels and are subject to the provisions set forth in Sections 15, 16, 17, 18 and 19, except that on

the approval of the City Plan Commission the developer or developers may elect to proceed under alternate Sections 30, 31, 32, 33 and 34 of these restrictions on Parcel 8: or, providing a plan covering the combined parcels has been approved by the City Plan Commission, on any of the following combinations of adjoining parcels: 8, 9 and 10; 4, 5 and 6; 8 and 9; 9 and 10; 4 and 5; and 5 and 6. Dwelling units which comply with Sections 15, 16, 17, 18 and 19 shall be known as high density multiple dwelling units.

15. Section 15, previously amended, entitled Use and Occupancy is deleted in its entirety and the following is substituted in its place and stead:

USE AND OCCUPANCY

No buildings other than apartments for dwelling purposes and accessory garages for the storage of automobiles shall be built. There shall be no subletting of a portion of any dwelling unit to any individual or individuals. No more than one family shall live in any one dwelling unit. No building or unit in a building built for dwelling purposes shall be subsequently so altered or rebuilt as to accommodate more families than the number for which it was originally designed and approved.

The following accessory commercial and professional uses, or uses considered as being similar uses by the City Plan Commission, shall be permitted only on approval of the City Plan Commission: (1) Doctor's Office, (2) Drug Store, (3) Beauty Shop, (4) Barber Shop, (5) Shoe Repair, (6) Small Food Store, (7) Cleaning and Laundry Shop, (8) Restaurant.

21. The first paragraph of Section 21 is to be deleted and the following is substituted in its place and stead:

All buildings shall have at least the following setbacks;

Jefferson Avenue - 20 feet from property line
Larned Street - 20 feet from property line
Rivard Street - 20 feet from property line
Abutting Parcel 7 - 20 feet from property line

22. The first paragraph of Section 22 is deleted and the following is substituted in its place and stead:

Parking shall be provided in a ratio of at least 180 square feet of total surfaced area, including

aisles, for every 200 square feet of gross floor area of the building. All parking areas and aisles shall be paved with a water repellant, dust free bituminous or concrete surface. All parking shall be set back from the property lines as indicated in paragraph 21.

The second paragraph of Section 22 is to be deleted and the following is substituted in its place and stead:

Parking shall be provided on the property except that two or more property owners may provide a common parking facility. In this case the combined parking area shall be equal to the sum of the separate parking requirements. All such parking shall be located within 300 feet of the property it is required to serve. Nothing in these restrictions shall be construed to prohibit the erection of parking structures to meet the parking space requirements. If terms and conditions satisfactory to the City of Detroit are complied with, an owner may contract with the City of Detroit to use the land under the surface of that part of Parcel 7 located between Larned and Jefferson to fulfill these requirements.

27. Section 27 is deleted in its entirety and the following is substituted in its place and stead:

In that part of Parcel 7 located between Larned and Lafayette, only schools, playgrounds, parks or related accessory buildings or uses shall be permitted. Parking shall be provided in the ratio of at least one space for each classroom. All buildings shall have a set back of at least 20 feet from all property lines.

In that part of Parcel 7 located between Larned and Jefferson, only parks and underground parking for commercial parcel owners shall be permitted.

In addition to the foregoing amendments, the following restrictions are added:

ALTERNATE TO LOW AND HIGH DENSITY MULTIPLE AREAS

If, after approval of the City Plan Commission a developer has elected to proceed under alternate Sections 30, 31, 32, 33 and 34 of these restrictions and has submitted a plan covering combined parcels which has been approved by the City Plan Commission, the following sections will apply rather than those enumerated in Sections 9, 10, 11, 12, 13 and 14, Low Density Multiple Areas and Sections 15, 16, 17, 18 and 19, High Density Multiple Areas.

30. Parking

Off-street parking in the ratio of at least one space per dwelling unit shall be provided. Seventy-five percent of the required spaces shall be in an underground structure or structures with a roof, the roof or roofs of which may not project more than 4 feet above the level of the ground at its outer wall. The roof must be virtually flat. Low density multiple dwelling units, including two family structure, may be located on the roof. The use and development of the roof shall be subject to the approval of the City Plan Commission.

31. Use and Occupancy

No buildings other than dwellings such as apartments, flats, terraces, row houses and accessory garages for the storage of automobiles shall be built. There shall be no subletting of a portion of any dwelling unit to any individual or individuals. No more than one family shall live in any one dwelling unit. No building or unit in a building for dwelling purposes shall be subsequently so altered or rebuilt as to accommodate more families than the number for which it was originally designed and approved.

The following accessory commercial and professional uses, or uses considered as being similar uses by the City Plan Commission, shall be permitted in high density multiple buildings only and on approval of the City Plan Commission: (1) Doctor's Office, (2) Drug Store, (3) Small Food Store, (4) Barber Shop, (5) Shoe Repair, (6) Beauty Shop, (7) Cleaning and Laundry Shop, (8) Restaurant.

32. Building Lines and Spacing Between Buildings

All buildings shall have at least a 20 foot setback from all property lines except that this restriction shall not apply to property lines which separate parcels for which a plan has been approved as described in the paragraph preceding Section 30 titled Alternate to Low and High Density Multiple Areas.

Buildings less than three stories in height which contain dwelling units shall not be so located that their sides having entrances are less than 30 feet apart or their sides having blank walls less than 18 feet apart.

Buildings three stories or over in height containing dwelling units shall be separated from each other by a distance of at least one and one half times the height of the taller.

Buildings over three stories in height containing dwelling units shall be at least 50 feet from buildings less than three stories in height containing dwelling units.

33. Maximum Extent of Development

The area of all parcels which are contiguous may be pooled in computing maximum extent of development. The parcels so pooled shall be so developed that the total number of living and bedrooms provided thereon shall not be more than the area of these parcels in square feet divided by 275.

34. Sale of Buildings

Dwelling units shall be for rental and/or cooperative apartment purposes at the discretion of the owner. Cooperative type ownership or the sale of a residential building in its entirety is permitted. Such sales shall not be by metes and bounds but by means of a recorded plat.

9-22-61

THIRD AMENDMENT TO THE DECLARATION OF RESTRICTIONS
LAFAYETTE REDEVELOPMENT PROJECT

MICH. R-12

The Declaration of Restrictions for the Lafayette Project, Mich. R-12, as amended and recorded in the office of the Register of Deeds for the County of Wayne in Liber 14128 on pages 589 through 612, Liber 14594 on pages 37 through 42 and Liber 14853 on pages 513 through 529, are hereby further amended as follows:

31. Section 31 is amended by deleting the first sentence and substituting the following sentence in its place and stead:

No buildings other than dwellings such as apartments, flats, terraces, row houses and accessory garages for the storage of automobiles shall be built, except that on Parcel 9 a building to house recreational facilities, to be used exclusively by residents of Parcels 8, 9, 10, may be constructed with the approval of the City Plan Commission.

32. Section 32 is amended by deleting the first sentence and substituting the following sentence in its place and stead:

All buildings shall have at least a 20 foot setback from all property lines except that this restriction shall not apply to property lines which separate parcels for which a plan has been approved as described in the paragraph preceding Section 30 title Alternate to Low and High Density Multiple Areas, and except that the recreational facilities permitted in Section 31 may have a setback of not less than 3 feet from the property line of Parcel 7.

FOURTH AMENDMENT TO THE DECLARATION OF RESTRICTIONS

LAFAYETTE REDEVELOPMENT PROJECT

MICH. R-12

The Declaration of Restrictions for the Lafayette Project, Mich. R-12, as amended and recorded in the office of the Register of Deeds for the County of Wayne in Liber 14128 on pages 589 through 612, Liber 14594 on pages 37 through 43, Liber 14853 on pages 513 through 529, and Liber 15640 on pages 702 through 716, are hereby further amended as follows:

14. Section 14 is amended by adding the following:

It shall also be permissible on Parcels 9 and 10 to establish condominium projects and to sell individual apartments therein or to resubdivide and plat property and to sell individual dwelling units situated on separate lots if the owners of such lots bear the responsibility, by virtue of recorded restrictions, for the maintenance and upkeep of any common areas benefitting such lots.

19. Section 19 is amended by adding the following:

It shall also be permissible on Parcels 6 and 11 to establish condominium projects and to sell individual apartments therein or to resubdivide and plat property and to sell individual dwelling units situated on separate lots if the owners of such lots bear the responsibility, by virtue of recorded restrictions, for the maintenance and upkeep of any common areas benefitting such lots.

21. The last line of the first paragraph of Section 21, as amended, is deleted and the following is substituted in its place and stead:

Abutting Parcel 7

3 feet from property line

34. Section 34 is amended by adding the following:

It shall also be permissible on Parcels 6, 9, 19 and 11 to establish condominium projects and to sell individual apartments therein or to resubdivide and plat property and to sell individual dwelling units situated on separate lots if the owners of such lots bear the responsibility, by virtue of recorded restrictions, for the maintenance and upkeep of any common areas benefitting such lots.